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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,837	02/08/2006	Rolf Theo Anton Apetz	DE030288	7344
24737	7590	11/28/2007	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			SONG, HOON K	
P.O. BOX 3001			ART UNIT	PAPER NUMBER
BRIARCLIFF MANOR, NY 10510			2882	
			MAIL DATE	DELIVERY MODE
			11/28/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/567,837

Applicant(s)

APETZ ET AL.

Examiner

Hoon Song

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 1-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 February 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 4/19/07, 2/8/06
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Drawings*

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the lithography device as claimed in claim 21 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Specification*

The disclosure is objected to because of the following informalities:

Headings for each section are missing.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

Claims 12-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. The structure which goes to make up the device must be clearly and positively specified. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Regarding claim 12, it is unclear what is claimed in the claim. The claim is only claiming a device and describing its intended use in radiation system including a source and filter. It is unclear what is meant by "high temperatures". How high is resistant temperature?; Regarding claim 13, what manner is "in a high-temperature resistant manner"?; Regarding claim 14, "can be" is unclear; Regarding claim 20, "the woven structure" lacks proper antecedent basis; Regarding claim 22, "a filer" lacks proper antecedent basis; Regarding claim 27, "the substance in the radiation source" lacks proper antecedent basis; Regarding claim 28, "the strip" lacks proper antecedent basis. Similar 112 issues exist throughout the claims. Revision/correction for all claims is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12-18 and 21-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Wedowski (WO02/059905) (see US7154666B2 for reference).

Regarding claims 12 and 28, Wedowski teaches a filter retaining system for x-ray lithography (figure 7) having a filter (4a) which is transparent to extreme ultraviolet and/or soft x-ray radiation and the filter is resistant to high temperature (column 7 line 67).

Regarding claim 13, Wedowski teaches a thin layer is connected to a support structure 3 (figure 4a).

Regarding claim 14, Wedowski teaches the thin layer and the support structure is made of a material having at least 1300 degrees melting point (column 8 lines 59-67).

Regarding claim 15, Wedowski teaches at least the thin layer is manufactured (column 8 lines 59-67).

Regarding claim 16, Wedowski teaches at least the thin layer comprising silicon (column 8 lines 59-67).

Regarding claim 17, Wedowski teaches the thin layer has layer thickness of 100 nm (column 8 lines 59-67).

Regarding claim 18, Wedowski teaches the support structure has a thickness of 1 micron to 1 mm (column 8 lines 59-67).

Regarding claim 21, Wedowski teaches a lithography system having the device (figure 7).

Regarding claim 22, Wedowski teaches the filter is operated between 900 degrees to 1300 degrees (figure 7).

Regarding claim 23-24, note: the temperature for the filter is adjustable is functional and no patentable weight.

Regarding claim 25, Wedowski teaches a foil trap is additionally arranged between the radiation source and the filter (figure 7)

Regarding claim 26, Wedowski teaches the filter seals off the radiation source in the form of a window (figure 7)

Regarding claim 27, "the substance reaches a pressure" is functional and no patentable weight.

Claims 12 and 19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by More (4178509).

Regarding claim 12, More teaches a filter retaining system having a filter (10) which is transparent to extreme ultraviolet and/or soft x-ray radiation and the filter is resistant to high temperature (figure 2)

Regarding claim 19, More teaches the support structure 8 is constructed in the form of strips.

Regarding claim 20, More teaches a woven (grid) structure is obtained (figure 2).

### ***Conclusion***

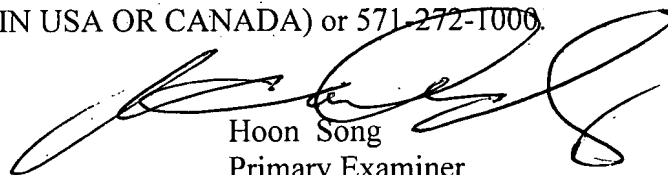
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoon Song whose telephone number is (571) 272-2494. The examiner can normally be reached on 9:30 AM - 7 PM, Monday - Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Glick can be reached on (571) 272 - 2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Hoon Song  
Primary Examiner  
Art Unit 2882

11/25/2007